REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-7 are currently pending. Claims 1 and 7 have been amended by the present amendment. The additions and amendments to the claims do not add new matter.[1]

In the outstanding Office Action, Claims 1, 6 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent No. 2002-141821 to Akiyama et al. (hereinafter, "Akiyama") and U.S. Patent Application Publication No. 2004/0120421 to Filipovic; and Claims 2-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Akiyama, Filipovic, and U.S. Patent Application Publication No. 2002/0176364 to Nakamura et al. (hereinafter, "Nakamura").

Applicants' Claim 1 is directed to a wireless apparatus, comprising in part:

> a digital filter control unit to disable the filtering of the digital signal by said digital filter when ***determining directly from non-linearity of a power level or an amplitude level of the received signal*** that the filtering by said digital filter will increase distortion of the received signal. [Emphasis Added]

In an exemplary aspect, the digital filter control unit disables the filtering of the digital signal by the digital filter when it determines directly from non-linearity of the power level or the amplitude level of the received signal that the distortion of the received signal will increase by the filtering of the digital signal by the digital filter.

The Office Action acknowledges that Akiyama does not disclose the claimed digital filter control unit.[2] Rather, the Office Action relies on Filipovic for such teachings by associating the claimed digital filter control unit with a control unit (24) described in Filipovic.[3]

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[1] See, e.g., page 4, line 27 - page 5, line 5 of Applicants' specification.
[2] See Office Action dated September 17, 2009, page 3.
[3] Id.

Filipovic describes that the control unit (24) sends control signals to selectively enable or disable a digital filter (20) based on a current wireless protocol being supported, which protocol is based on measurements of a received signal.[4] Further, Filipovic describes that the control unit (24) enables or disables the digital filter (20) depending on whether the selected wireless protocol requires digital filtering in addition to the analog filtering in the analog filter (16).[5] Finally, Filipovic describes that the selected wireless protocol requires digital filtering when a pass band filter in the analog filter (16) passes baseband signals of other wireless protocols in addition to the baseband signals of the selected wireless protocol.[6]

Therefore, in Filipovic, the control unit (24) enables or disables the digital filter (20) by determining whether digital filtering is required or not ***based on the selected wireless protocol***, which is based on measurements of the received signal. However, Filipovic's control unit (24) does ***not*** disable the digital filter (20) by making the determination ***directly*** from the measurements of the received signal.

Further, Filipovic's control unit (24) disables the digital filter (20) if the pass band filter in the analog filter (16) passes baseband signals of ***only*** the selected wireless protocol. In fact, Filipovic merely exemplifies selecting the current wireless protocol based on the measurements of the received signal instead of the user input. However, Filipovic's control unit (24) does ***not*** disable the digital filter (20) by determining that the distortion of the received signal with respect to non-linearity of the power level or the amplitude level of the received signal will increase by the filtering of the digital signal by the digital filter (20).

Thus, Filipovic does not disclose or suggest the digital filter control unit, as clarified in Claim 1.

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[4] See Filipovic, paragraph [0029].
[5] Id. at paragraph [0029].
[6] Id. at paragraph [0028].

No matter how the teachings of Akiyama and Filipovic are combined, the combination does ***not*** disclose or suggest the digital filter control unit to disable the filtering of the digital signal by said digital filter when determining ***directly*** from non-linearity of a power level or an amplitude level of the received signal that the filtering by said digital filter will increase distortion of the received signal.

Finally, Applicants respectfully submit that Akiyama describes correction of degradation in delay characteristics of an analog band pass filter due to group delay by performing a filter operation using a digital filter having contrary characteristics to the delay characteristics of the analog band pass filter.[7] Therefore, Akiyama simply describes correction of distortion generated by operation of the analog band pass filter, and does ***not*** describe distortion generated by the digital filter.

As a result, any combination of Akiyama and Filipovic would yield an apparatus that measures distortion of the received signal ***generated by the analog filter*** and corrects the generated distortion by using the digital filter, while the apparatus would enable or disable the digital filter based ***on the wireless protocol***, which is identified by measuring the received signal, and ***not*** directly based on nonlinearity of a power or amplitude level of the received signal. Thus, any combination of Akiyama and Filipovic does not satisfy the digital filter control unit, as clarified in Claim 1.

The above discussion regarding independent Claim 1 also applies to independent Claim 7, which recites analogous features in a claim of a different scope.

Accordingly, it is respectfully submitted that the 35 U.S.C. § 103(a) rejections of independent Claims 1 and 7 (and all associated dependent claims) be withdrawn.

Regarding the rejections of dependent Claims 2-5 under 35 U.S.C. §103(a), Applicants respectfully submit that Nakamura does not remedy the above deficiencies of

[7] See Akiyama, paragraph [0010].

Akiyama and Filipovic. Accordingly, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejections of dependent Claims 2-5 be withdrawn.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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